

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ORACLE AMERICA, INC., a Delaware corporation,

Plaintiff,

vs.

SERVICE KEY, LLC, a Georgia limited liability company; ANGELA VINES; DLT FEDERAL BUSINESS SYSTEMS CORPORATION, a Delaware corporation; and DOES 1-50,

Defendants.

Case No: C 12-00790 SBA

**ORDER CONTINUING HEARING
ON DEFENDANT FBSCGOV'S
MOTION TO STAY**

Dkt. 118


On January 11, 2013, Defendant FBSCGov, formerly known as DLT Business Systems Corporation, filed a Corrected Motion to Stay Proceedings, which is noticed for hearing on January 22, 2012. Under Civil Local Rule 7-2(a), a motion cannot be noticed for hearing less than thirty-five days prior to the hearing date. Here, FBSCGov provided only ten days' notice. Though FBSCGov could have sought to shorten the notice period by filing a motion to change time under Local Rules 6-1 and 6-3, it failed to do so. To rectify FBSCGov's disregard of the Court's Local Rules, the Court will continue the motion hearing date to afford the parties sufficient notice. Accordingly,

IT IS ORDERED THAT the hearing on Defendant FBSCGov's motion to stay is CONTINUED from January 22, 2013, to **February 26, 2013 at 1:00 p.m.** Any opposition to the motion, which is limited to five (5) pages, shall be filed no later than January 22, 2012, and FBSCGov's reply, which is limited to two (2) pages, shall be filed by no later than January 29, 2013. The lack of any opposition will be construed as a consent to the motion. Pursuant to Federal Rule of Civil Procedure 78(b), the Court may resolve the motion

1 without oral argument. The parties are advised to check the Court's website to determine
2 whether an appearance on the motion is required.

3 IT IS SO ORDERED.

4 Dated: January 17, 2013


5 SAUNDRA BROWN ARMSTRONG
6 United States District Judge
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